

1 **CITY OF NORTH BEND PLANNING COMMISSION MEETING MINUTES**

2 Thursday, May 9, 2013 at 7:00 PM

3 City Hall Conference Room,

4 211 Main Avenue North, North Bend, WA 98045

5 *Please Note: A complete audio recording of this meeting is available on the City of North Bend website,*
6 www.northbendwa.gov, under Commissions - Planning Commission - Meeting Audio.

7
8 **CALL TO ORDER**

9 The meeting was called to order at 7:02 PM.

10
11 **ROLL CALL**

12 Planning Commissioners present: Brenden Elwood, Gary Fancher, Scott Lee, Jim Luckey, Rob McFarland
13 (Chair), and Piper Muoio. Commissioner Bjorklund was unable to attend (notified ahead). City Staff present:
14 Mike McCarty, Senior Planner.

15
16 **AGENDA #2 MINUTES FROM APRIL 25, 2013 MEETING**

17 Chair McFarland asked for a motion to approve the Minutes from the April 25, 2013 Planning Commission
18 Meeting. Commissioner Elwood Motioned to Approve; Commissioner Lee seconded the Motion. The Motion
19 was Approved, 5:0. *Note:* Commissioner Luckey arrived at 7:05 PM and did not vote on the Minutes.

20
21 **AGENDA ITEM #3: PUBLIC COMMENT ON NON-AGENDA ITEMS (LIMITED TO 3**
22 **MINUTES PER PERSON)**

23 Chair McFarland asked if any citizen wished to comment on a non-agenda item. No one from the audience
24 offered to speak on any non-agenda item.

25
26 Chair McFarland gave an overview of the procedures for speaking on the record at tonight's public hearings.

27
28 Chair McFarland asked the audience if anyone had any objection to any of the Planning Commissioners taking
29 part in the items under deliberation at tonight's meeting. No one spoke of any objection.

30
31 Chair McFarland asked the Commissioners if any of them has any financial or personal interest in any of the
32 items up for deliberation. Commissioner Luckey said that he owns property in the area of Agenda Item #4b,
33 Docket #5, and will not be voting on that item.

34
35 Chair McFarland asked that if any member of the Planning Commissioner has had any ex parte communication on
36 any of the items up for deliberation at tonight's meeting, please state so.

37
38 **AGENDA ITEM #4: PUBLIC HEARING –**

39 **4a. Amendments to Zoning Map and NBMC 18.10 concerning properties on the north side of**
40 **E. North Bend Way between the Cedar Falls Way Roundabout and Thrasher Ave. NE**
41 **(Don Torguson request – Docket #2)**

42 Mike McCarty gave a briefing on the Docketing Process. Mr. McCarty described Docket #2 specifically, and said
43 that staff does recommend approval, subject to consideration of input from the public.

44
45 At 7:10 PM, Chair McFarland opened the Public Hearing on Docket #2. Chair McFarland read from the signup
46 sheet of people who wish to speak at tonight's public hearing.

47
48 *Please Note:* Citizen comments may be heard in their entirety on the City of North Bend website,
49 www.northbendwa.gov under: Commissions - Planning Commission - Meeting Audio.

1 Jim Graham, 681 E. North Bend Way, North Bend, WA 98045. Mr. Graham said he lives across the street (south
2 side) from Red Oak, and has lived there for 43 years. Mr. Graham said the neighborhood is Single Family now,
3 and he thinks it should remain that way.

4
5 Ewing Stringfellow, 43342 SE Mount Si Road/P. O. Box 393, North Bend, WA 98045. Mr. Stringfellow said he
6 owns property next to the area of the proposed rezone, and would like the rezone to be to Downtown Commercial,
7 extending the downtown core out to the new Fire Station.

8
9 Mr. McCarty said that Mr. Stringfellow had requested that his properties be part of Mr. Torguson's original
10 rezone request to High Density Residential.

11
12 Don Torguson, 790 East North Bend Way, P. O. Box 835, North Bend, WA 98045. Mr. Torguson is the citizen
13 who made this docket request. Mr. Torguson said sometime after he bought the property in the 1960's the area
14 was downzoned to Low Density Residential. Mr. Torguson said he believes commercial is the highest and best
15 use for the property, due to its location, traffic, and exposure.

16
17 Wendy Thomas, 721 E. North Bend Way, North Bend, WA 98045. Ms. Thomas said that she has mixed feelings
18 about development across the street. Ms. Thomas said that she was mystified on how her property was left out of
19 the ULID (Utility Local Improvement District). Ms. Thomas said that because she does not enjoy the same
20 benefits of those infrastructure improvements, she cannot enjoy the benefits of any transition from residential to
21 commercial uses. Her concern, since she will have to stay single family residential, is that the proposed zoning
22 change will potentially change the nature of her neighborhood.

23
24 Bryan Woolsey, 721 E. North Bend Way, North Bend, WA 98045. Mr. Woolsey said that he wanted to reiterate
25 what his wife (Wendy Thomas) had said, and that he is concerned about development occurring across the street
26 (from his residence).

27
28 Chair McFarland read the name Nancy Randall. Ms. Randall said that she did not wish to speak.

29
30 Travis Bridgman, 713 Ogle Ave. NE, North Bend, WA 98045. Mr. Bridgman said he is glad to see so many of
31 the public here at the meeting, and just wanted to listen and learn.

32
33 Greg Rothe, 129 Thrasher Ave. NE, North Bend, WA 98045. Mr. Rothe said he had very significant concerns.
34 Mr. Rothe said he looked at the city's Mission Statement and Branding Statement, and statements in the City of
35 North Bend Mission Statement stood out to him, namely maintaining the "rural character" of the community, and
36 does not think rezoning property commercial that is next to a park and residential properties maintains that rural
37 character. Mr. Rothe said he sees a long list of negative impacts, with very little upside.

38
39 Cassandra Brewster, 129 Thrasher Ave. NE, North Bend, WA 98045. Ms. Brewster said that (the proposed
40 zoning change) would leave all of the residents along the back side of Torguson Park along Thrasher Avenue
41 stranded. Ms. Brewster also discussed her concerns about flood and storm water runoff that will be increased
42 with any new development.

43
44 Lurna Young (*spelling unconfirmed*), 851 E. North Bend Way, North Bend, WA 98045. Ms. Young said she
45 has owned the same property since 1952.

46
47 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
48 attendance offered to speak.

49
50 At 7:40 PM, Chair McFarland closed the Public Hearing on Docket Item #2.

51
52 **4b. Amendments to Comprehensive Plan Land Use Designation and Zoning Map concerning**
53 **properties on E. Park Street (Docket #5)**

54 At 7:41 PM, Chair McFarland opened the Public Hearing on Docket #5.

1 Mr. McCarty described Docket #5 specifically, and said that staff does recommend approval following input from
2 the public.

3
4 Chair McFarland called names from the signup sheet to speak at tonight's public hearing.

5
6 Jim Randall, 315 E. Park St., #A2, North Bend, WA 98045. Mr. Randall said that he was surprised to get the
7 notice of this rezone, and asked if this docket request was initiated by a private party. Mr. McCarty answered that
8 it was by staff, and described that it was a follow-up consideration of the previous zoning change in this area that
9 was privately initiated. Mr. Randall said that commercial development on his street will make property values go
10 down, and make living on that street harder. Mr. Randall said he is concerned about losing our small town
11 character, as well as impacts of traffic and parking.

12
13 Nancy Randall, 315 E. Park St., #A2, North Bend, WA 98045. Mrs. Randall said she is dismayed by the rezone
14 proposal, and as an example of what it means by development, Mrs. Randall said to look at the Bartell's project,
15 which demolished five homes. Mrs. Randall said that she does not think anyone would want to live on Park
16 Street if more commercial goes in.

17
18 Colleen Murphy, 315 E. Park St., North Bend, WA 98045. Ms. Murphy related that the neighborhood had
19 installed a mirror so they could see oncoming traffic, because parking is so bad they cannot see oncoming traffic.
20 Ms. Murphy asked if one of the Planning Commission's jobs is to also look at traffic impacts with new
21 development. Mr. McCarty answered Ms. Murphy's question by describing who is responsible to address traffic
22 impacts with development.

23
24 Don Anderson, 315 E. Park St., North Bend, WA 98045. Mr. Anderson said he would echo what Colleen
25 Murphy said about traffic and parking impacts, and shares her concern.

26
27 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
28 attendance offered to speak.

29
30 At 7:54 PM, Chair McFarland closed the Public Hearing on Docket Item #5.

31
32 **4c. Amendments to Comprehensive Plan Land Use Designation Map, Zoning Map and NBMC**
33 **18.10.050 concerning 12727 and 12805 412th Ave. SE (per Century Link request – Docket**
34 **#12)**

35 At 7:55 PM, Chair McFarland opened the Public Hearing on Docket #12.

36
37 Mr. McCarty described Docket #12 specifically, and said that staff felt it was appropriate to rezone the property to
38 commercial, but with some restrictions related to the city's performance standards.

39
40 An unidentified person made comment on this proposed rezone, and described himself as a resident in the area of
41 the rezone. This person said that he believes if you let these people have access to sewer, then you need to let
42 other residential properties have the same access. He also asked why not change the zoning from Low Density
43 Residential to High Density Residential. He also described the flooding issues in the area.

44
45 Mr. McCarty answered the sewer question by stating that any area can form a Utility Local Improvement District,
46 which is an agreement by the property owners to pay for extension of sewer. Mr. McCarty answered the flooding
47 question by stating that any new development would have to conform to the city's Stormwater Standards and the
48 King County Surface Water Design Manual.

49
50 Another unidentified person made comment that years ago, Mr. Churchill had a permit from the county to dredge
51 the South Fork, and we didn't have flooding. She also said that Mr. Riley had a permit to dredge the North Fork,
52 and we didn't have flooding problems. Mr. McCarty said that the county is considering dredging as one of a
53 number of flood control options.

1 Mr. McCarty advised that these properties are not currently within the city limits of North Bend, but are in the
2 city's Urban Growth Area.

3
4 There was discussion, including questions and answers, between unidentified guests, Mr. McCarty and the
5 Commissioners.

6
7 Chair McFarland asked if there was anyone else that wanted to speak regarding this Docket Item. No one else in
8 attendance offered to speak.

9
10 At 8:10 PM, Chair McFarland closed the Public Hearing on Docket Item #12.

11
12 **AGENDA ITEM #5 PLANNING COMMISSION DELIBERATION AND POSSIBLE**
13 **RECOMMENDATION ON ITEMS 4a, 4b, AND 4c ABOVE**

14 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4c, Docket #12.

15
16 Commissioner Luckey made a Motion to deny this docket item (Docket Request #12 - 4c. Amendments to
17 Comprehensive Plan Land Use Designation Map, Zoning Map and NBMC 18.10.050 concerning 12727 and
18 12805 412th Ave. SE) until such time as the subject properties come into the city limits. Chair McFarland asked
19 for discussion. There was discussion between the Commissioners and Mr. McCarty concerning the Motion.
20 Commissioner Elwood offered a friendly amendment to Commissioner Luckey's Motion, to remove the specifying
21 language about annexation, and just make the motion to deny the request for amendments to the Comprehensive
22 Plan. Commissioner Luckey denied the friendly amendment. There was further discussion of the Motion
23 between the Commissioners and Mr. McCarty. Chair McFarland called for a vote on Commissioner Luckey's
24 Motion. The vote was 3:2 (Elwood, Lee) to Approve the Motion. Chair McFarland abstained from voting. The
25 Motion is Approved.

26
27 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4a, Docket #2.
28 Chair McFarland asked Mr. Torguson as the lead applicant of this docket request, for clarification as to whether
29 he was now requesting the change in zoning from Low Density Residential to High Density Residential or to
30 Commercial. Mr. Torguson answered that (the property) was commercial originally, and that it probably should
31 be restored to commercial, and that if you look at the zoning map, it is surrounded by commercial, and he believes
32 that would be also the best and highest use of the property. He has his petition in to change the zoning to multi-
33 residential because he had a buyer for the property to construct a senior housing project. Chair McFarland
34 explained that the proposal is to change the zoning to HDR, and that to change now to commercial would put the
35 issue back to square one. Mr. Torguson said he is agreeable to whatever (the Planning Commission) decides.

36
37 There was further discussion between the Commissioners and Mr. McCarty concerning Docket #2.

38
39 Commissioner Fancher made a Motion to Approve this docket item (Docket #2, Amendments to Zoning Map and
40 NBMC 18.10 concerning properties on the north side of E. North Bend Way between the Cedar Falls Way
41 Roundabout and Thrasher Ave. NE) and to include Ewing Stringfellow's property. Commissioner Luckey
42 seconded the Motion. Chair McFarland asked for discussion. There was further discussion between the
43 Commissioners and Mr. McCarty concerning Commissioner Fancher's Motion. Chair McFarland called for a
44 vote on Commissioner Fancher's Motion. The vote was 3:2 (Muoio, Elwood) to Approve the Motion. Chair
45 McFarland abstained from voting. The Motion is Approved.

46
47 There was discussion between the Commissioners and Mr. McCarty concerning Agenda Item 4b, Docket #5. Mr.
48 McCarty said that this particular docket item came from staff, and is not a citizen initiated docket request. Chair
49 McFarland stated that he owns property within 300 feet of this proposal but does not own any of the subject
50 properties, is not directly impacted, and says he feels he can make an unbiased judgment.

51
52 Commissioner Fancher made a Motion to Approve this docket item (Docket #5 - Amendments to Comprehensive
53 Plan Land Use Designation and Zoning Map concerning properties on E. Park Street); Commissioner Elwood
54 seconded the Motion. Chair McFarland asked for discussion. No further discussion was offered. Chair
55 McFarland called for a vote. The vote was 2:2 (Muoio, Elwood); Chair McFarland broke the tie. The final vote

1 was 2:3 (Muio, Elwood, McFarland) to Approve the Motion. Commissioner Luckey, who owns property on
2 Park Street, abstained from voting. The Motion Failed.

3
4 Chair McFarland said that concludes items from the Agenda, and asked the Commissioners if there were any
5 other issues to discuss.

6
7 Commissioner Muio asked about the situation with the tattoo parlor. Mr. McCarty explained the situation with
8 the emergency ordinance and council, and said this issue will be coming to the Planning Commission at the very
9 next meeting. Chair McFarland said that he had requested when that situation is brought before the Planning
10 Commission, that there is City Council representation at the meeting/hearing. Mr. McCarty confirmed that
11 Councilmember Pettersen is the Chair of the CED Committee. Chair McFarland said he hopes the person (on the
12 city council) who made the motion on the emergency ordinance can appear at the Planning Commission's next
13 meeting to explain their reasoning, but that the appropriate person may be the liaison (Councilmember Pettersen).

14
15 Mr. McCarty said that City Administrator Londi Lindell will be at the next Planning Commission meeting to
16 discuss the tattoo parlor issue.

17
18 Commissioner Muio asked about the change to the cottage zoning that the Planning Commission worked on, and
19 whether it has already gone to council. Mr. McCarty answered that the Commission recommendation went to
20 council and council heard additional comments and the council wanted to consider that additional comment. Staff
21 needs to get with the city's legal counsel to determine if then the issue needs to come back to the Planning
22 Commission.

23
24 Chair McFarland asked if the Planning Commission could get an update from Public Works on the city's sewer
25 capacity and water capacity.

26
27 **ADJOURNMENT:**

28 Commissioner Muio motioned to adjourn the meeting; Chair McFarland seconded the motion. The meeting
29 adjourned at 9:26 PM.

30
31 **NEXT PLANNING COMMISSION MEETING:**

32 The next Planning Commission meeting will be held May 23, 2013 at the City Hall Conference Room.

33
34 ATTEST:

35
36
37 _____
38 Rob McFarland, Chair

Mike McCarty, City of North Bend